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Re: Chapter 173-201A WAC

Water Quality Standards for Surface Waters of the State of Washington

Washington Environmental Council supports water quality standards that protect public health. The draft human health water quality standards rule fails to protect public health adequately and provide certainty that we will eliminate toxic pollution in fish and shellfish. In particular, the draft rule fails to provide enough protection against cancer-causing pollutants that are currently in some of our state's rivers and Puget Sound. For one of the most dangerous and prevalent toxics in our waters—PCBs—this proposal leaves inadequate protections in place.

The current proposal under consideration contains an important weakness that undermines its ability to protect public health. We urge revision of the draft rules to protect public health through changing the proposed cancer risk level from the proposed 10^{-5} (1 in 100,000) to 10^{-6} (1 in 1,000,000). This change in the proposal would actually retain the existing cancer risk level in the existing rule that is 10^{-6} .

It is a positive step to increase the estimated fish consumption rate in the draft rule, but weakening the cancer risk level essentially cancels out the improved and more accurate fish consumption estimate, resulting in a status quo outcome for the actual water quality standards. We can and must do better to protect public health.

We urge Department of Ecology to revise the proposed rules and include in the proposed rule a cancer risk level of 10^{-6} (1 in 1,000,000) for all cancer-causing pollutants. By retaining a protective cancer risk level, the State can recognize the need to limit the levels of cancer-causing chemicals in our waterways—a critical step toward reducing cancer-causing pollutants in fish and shellfish in Washington State.

Thank you for considering our comments,

Mark Powell
Puget Sound Program Director